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BROOKS KUSHMAN P.C./FGTL
1000 TOWN CENTER
22ND FLOOR
SOUTHFIELD, MI 48075-1238

EXAMINER

ROBINSON BOYCE, AKIBA K

ART UNIT	PAPER NUMBER
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3639

DATE MAILED: 09/16/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 09/542,413	Applicant(s) AHLUWALIA, GURPREET	
	Examiner Akiba K. Robinson-Boyce	Art Unit 3639	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 27 June 2005.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-41 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-41 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date <u>062705</u> . | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Status of Claims

1. Due to communications filed 6/27/05, the following is a final office action.
Claims 1-41 are pending in this application. The previous rejection has been maintained, and claims are rejected as follows.

Claim Rejections - 35 USC § 103

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 1, 4, 5, 8, 14-18, 20, 29, 30, 31, 33, 34 are rejected under 35 U.S.C. 103(a) as being unpatentable over Bezos et al (US 6,029,141).

As per claims 1, 14, Bezos et al discloses:

At least one presentation application operable to capture user online session data/capturing an online order containing at least one manufactured product identifier and at least one manufactured product configuration submitted by an online customer, (col. 2, lines 25-32, presented with online form), including a presentation application identifier, (col. 2, lines 48-51, the code that maintains the shopping cart for each shopping session), a session identifier, (Fig. 5, shopping cart IDs), user data, (Col. 8, lines 28-31, user ID), user click stream data/capturing click stream data generated during an online session during which the online customer submitted the online order,

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(Col. 20, lines 6-10, click-stream), and...product configurations selected by the user, (Col.7, lines 28-30, unique IDs of the selected product shown as the ISBN of the book), and generate a session report message incorporating the user online session data, (Col. 16, lines 20-26, information stored by the merchant Web site);

A report processor operable to receive the session report message, and storing the user online session data in a report database/ storing the online order and click stream data in a report database, (Col. 5, lines 55-60, Web Server);

Wherein the report processor is operable to generate a report related to manufactured product online orders, based on at least a portion of the information stored in the report database/and generating a report related to manufactured product online orders, based on at least a portion of the information stored in the report database, (Col. 16, lines 11-15, report generation software/feedback report).

Bezos et al does not specifically disclose a manufactured product, but does disclose a system where customers order products from Web-site as disclosed in the Abstract. However, this feature is obvious with Bezos et al since all products need to be manufactured in order to be suitable for use.

It would have been obvious to one of ordinary skill in the art to manufacture a product with the motivation of effectively producing something useful and marketable.

As per claim 4, Bezos et al discloses:

wherein the session report message further comprises a user identifier, (col. 8, lines 28-31, user ID)).

As per claim 5, Bezos et al discloses:

wherein the session report message further comprises a configuration identifier assigned to each user-selected manufactured product configuration, (Col.7, lines 28-30, unique identifier selected product as the ISBN of the book).

As per claim 8, Bezos et al discloses:

further comprising a workflow manager operable to receive order messages related to the placement of online orders for the manufactured products, and to route a copy of the order messages to the web server for processing by the report processor and storage in the report database, (Col. 16, lines 11-15, included in report generation software).

As per claims 15, 30, Bezos et al discloses:

generating an order message incorporating the at least one manufactured product identifier and the at least one product configuration, (Col. 16, lines 20-26, information stored by the merchant Web site);

and sending the order message to a report processor for processing, (Col. 16, lines 11-15, report generation software).

As per claim 16, 31, Bezos et al discloses:

generating a session data message incorporating the click stream data, (Col. 16, lines 20-26, information stored by the merchant Web site);

and sending the order message to a report processor for processing, (Col. 16, lines 11-15, report generation software).

As per claim 17, Bezos et al discloses:

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capturing a session identifier; and capturing a customer identifier, (Fig. 5, shows shopping cart IDs which includes a customer ID).

As per claims 18, 33, Bezos et al discloses:

capturing click stream data associated with user input to select a manufactured product configuration, (Col. 20, lines 6-10, click-stream);

and generating and capturing a configuration identifier for each user-selected manufactured product configuration, (Col. 7, lines 28-30, unique identifier of selected product as the ISBN).

As per claims 20, 34, Bezos et al discloses:

capturing an online order number, (Col. 2, lines 59-66, here, order number is obvious since after submitting an order, the associate is identified, and one could not make an identification without previously having identified something).

capturing a session identifier during which the online order was placed by the customer, (Fig. 5, shows shopping cart IDs which includes a customer ID).

capturing a configuration identifier of the manufactured product configuration, (Col. 7, lines 28-30);

and capturing a manufactured product identifier, (Fig. 5, product ID).

It would have been obvious to one of ordinary skill in the art at the time of the applicant's invention to capture an order number with the motivation of identifying an order.

As per claim 29, Bezos et al discloses:

capturing a manufactured product configuration selected by an online customer, (Col. 7, lines 28-30, unique identifier of selected product as the ISBN);

capturing an online order containing at least one manufactured product identifier and specifying the manufactured product configuration, (Col. 2, lines 48-65, submits and order and uses this information for identification purposes);

capturing click stream data generated during an online session during which the online customer submitted the online order, (Col. 20, lines 6-10, click-stream data);

storing the manufactured product configuration, online order and click stream data in a report database, (Col. 6, lines 11-15, shows stored data, Col. 7, lines 28-30, where data includes unique identifier of selected product as the ISBN, w/ col. 2, lines 59-66, shows order data, and col. 20, lines 6-10, shows click-stream data); and

generating reports related to the manufactured product configuration, online order, and click stream data, (col. 6, lines 11-15, generating reports based on stored data).

4. Claims 3, 19, 32 are rejected under 35 U.S.C. 103(a) as being unpatentable over Bezos et al (US 6,029,141), and further in view of Cathey et al (US 5,778,182).

As per claims 3, 19, Bezos et al fails to disclose wherein the session report message further comprises session start date and time, session end date and time, but does disclose capturing session data in col. 16, lines 20-26 as information stored by the merchant Web site.

However, Cathey et al discloses:

wherein the session report message further comprises session start date and time, session end date and time, and entry and exit web pages/capturing an online session starting/entry point; and capturing an online session ending/end point, (Col. 11, lines 37-41, [start/stop flag indicating time] w/ Col. 5, lines 40-41, [Dttm {representing date and time}, domain id represents the page], and Col. 5, lines 55-59, [PlaceID]).

Cathey et al discloses this limitation in an analogous art for the purpose of showing that details of a user's session is captured.

It would have been obvious to one of ordinary skill in the art at the time of the applicant's invention to include session start date and time, session end date and time, and entry and exit web pages with the motivation of presenting this type of data in a report.

As per claim 32, Bezos et al discloses:

capturing a session identifier; and capturing a customer identifier, (Fig. 5, shows shopping cart IDs which includes a customer ID).

Bezos et al fails to capturing an online session starting/entry point; and capturing an online session ending/end point, but does disclose capturing session data in col. 16, lines 20-26 as information stored by the merchant Web site.

However, Cathey et al discloses:

capturing an online session starting/entry point; and capturing an online session ending/end point, (Col. 5, lines 55-59, [PlaceID]).

Cathey et al discloses this limitation in an analogous art for the purpose of showing that details of a user's session is captured.

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It would have been obvious to one of ordinary skill in the art at the time of the applicant's invention to capture an online session starting/entry point; and to capture an online session ending/end point with the motivation of presenting this type of data in a report.

5. Claims 2, 6, 7, 9, 10, 22, 23, 27, 28, 36, 37, 40 and 41 are rejected under 35 U.S.C. 103(a) as being unpatentable over Bezos et al (US 6,029,141), and further in view of Brandt et al (US 6,377,993).

As per claim 2, Bezos et al fails to disclose the following, however Brandt et al discloses:

wherein the session report message further comprises manufactured product identifiers having the user-selected manufactured product configuration in-inventory and in-process identified in a user-initiated online search, (Col. 4, lines 17-25, [request across Internet via query generation]).

It would have been obvious to one of ordinary skill in the art at the time of the applicant's invention to utilize a user-initiated online search with the motivation of allowing the user to have access to applications that are customizable.

As per claim 6, Bezos et al fails to disclose the following, however Brandt et al discloses:

wherein the report processor comprises a report log utility operable to receive the session report message and cleanse the session data therein, (Col. 19, lines 35-37, [cleanses the data]).

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It would have been obvious to one of ordinary skill in the art at the time of the applicant's invention to cleanse the session data with the motivation of removing all unnecessary data so only data needed for reporting will be applied.

As per claim 7, Bezos et al fails to disclose the following, however Brandt et al discloses:

wherein the report processor further comprises a data collector operable to receive the cleansed session data from the report log utility and storing the session data in the report database, (Col. 19, lines 37-39, [storage in DataMarts]).

It would have been obvious to one of ordinary skill in the art at the time of the applicant's invention to receive the cleansed session data and store it with the motivation of keeping the cleansed data in a secure place, protected from contaminated data.

As per claims 9, 23, 37, Bezos et al fails to disclose the following, however Brandt et al discloses:

comprising a workflow manager operable to receive lead messages related to leads for contacting customers about the manufactured products, and to route a copy of the lead messages to the web server for processing by the report processor and storage in the report database/ receiving an online contact lead message containing customer data; extracting the customer data; and storing the customer data in the report database, (col. 9, lines 34-37, [target middle-tier]).

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It would have been obvious to one of ordinary skill in the art at the time of the applicant's invention to receive lead messages related to leads for contacting customers with the motivation of determining

As per claim 10, Bezos et al fails to disclose the following, however Brandt et al discloses:

further comprising a workflow manager operable to receive status messages related to the status of online orders, and route a copy of the status messages to the web server for processing by the report processor and storage in the report database, (Col. 24, lines 24-40, [send ARDA message to RM]).

It would have been obvious to one of ordinary skill in the art at the time of the applicant's invention to route a copy of the status messages to the web server for processing with the motivation of giving a user access about the status of a customer's order in a highly accessible location such as the Internet.

As per claims 22, 36, Bezos et al fails to disclose the following, however Brandt et al discloses:

extracting the session data from the session data message; and cleansing the session data, (Col. 19, lines 35-37, [cleanses the data]).

It would have been obvious to one of ordinary skill in the art at the time of the applicant's invention to cleanse the session data with the motivation of removing all unnecessary data so only data needed for reporting will be applied.

As per claims 27, 28, 40, 41, Bezos et al fails to disclose the following, however Brandt et al discloses:

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further comprising generating a report on metrics related to the online orders/
further comprising generating a report on metrics related to the click stream data, (Col. 14, lines 5-9, [metrics infrastructure for throughput and volumes]).

It would have been obvious to one of ordinary skill in the art at the time of the applicant's invention to generate a report on metrics related to online orders and click stream data with the motivation of determining hardware and network growth as a result of online orders and click stream data.

6. Claims 11, 26, 39 are rejected under 35 U.S.C. 103(a) as being unpatentable over Bezos et al (US 6,029,141), and further in view of Sutcliffe et al (US 6,073,105).

As per claims 11, 26, 39, Bezos et al fails to disclose the following, however Sutcliffe et al discloses:

further comprising credit messages generated by a credit processor containing customer credit and financing information being processed by the report processor and stored in the report database/capturing customer credit and financing information; generating a customer credit message containing the customer credit and financing information; and storing the customer credit and financing information in the report database, (Col. 15, lines 22-26, [CARDREJECTED message] w/ Col. 22, lines 15-18, [storing account status report in database]).

It would have been obvious to one of ordinary skill in the art at the time of the applicant's invention to incorporate credit and financing information with the motivation of determining if the consumer is financially able to order product specified.

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7. Claims 12, 13, 21, 24, 25, 35, 38 are rejected under 35 U.S.C. 103(a) as being unpatentable over Bezos et al (US 6,029,141), and further in view of Brown (US 5,794,219).

As per claim 12, Bezos et al fails to disclose the following, however Brown discloses:

further comprising dealer messages containing participating dealership information being processed by the report processor and stored in the report database, (Col. 2, lines 34-36, [dealers bidding on cars]).

It would have been obvious to one of ordinary skill in the art at the time of the applicant's invention to partner dealership information with the motivation of incorporating the automobile industry that dealers participate in into an on-line purchasing process.

As per claim 13, Bezos et al fails to disclose the following, however Brown discloses:

wherein the manufactured products are automotive vehicles, (Col. 2, lines 34-36, [car]).

It would have been obvious to one of ordinary skill in the art at the time of the applicant's invention for the products to be automotive vehicles with the motivation of incorporating the automobile industry that dealers participate in into an on-line purchasing process.

As per claims 21, 35, Bezos et al discloses:

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capturing order information, (col. 16, lines 20-26, information stored by merchant Web site);

Bezos et al fails to disclose the following, however Brown discloses:

capturing order status; and capturing dealer action needed, (Col. 7, line 66-Col. 8, line 1, [status is "NO", and the computer notifies the bidder {dealer} that he does not have the right bidder account and therefore can not place a bid]).

It would have been obvious to one of ordinary skill in the art at the time of the applicant's invention to capture order status and the dealer action needed with the motivation of determining whether or not the dealer should participate in a particular product purchase.

As per claims 24, 38, Bezos et al fails to disclose the following, however Brown discloses:

capturing participating dealer information; generating a dealer message containing the participating dealer information; and storing the participating dealer information in the report database, (Col. 2, lines 34-36, [dealers bidding on cars, Col. 6, lines 3-16, [bidder registration message, bidder database]).

It would have been obvious to one of ordinary skill in the art at the time of the applicant's invention to capture dealer information, generate a dealer message and store the dealer information in a database with the motivation of properly including the dealer's information in the system so dealers can readily be associated with products.

As per claim 25, Bezos et al discloses:

comprising generating a dealer report, (col. 16, lines 11-15, generating a report).

Response to Arguments

8. Applicant's arguments filed 6/27/05 have been fully considered but they are not persuasive.

As per claims 1, 4, 5, 8, 14-18, 20, 29, 30, 31, 33 and 34, the applicant argues that the examiner has not provided the requisite motivation for modifying Bezos' web-based system of ordering books to include manufactured products as claimed. However, Bezos et al discloses an Internet-based referral system that enables individuals and other business entities to market products. This system also implements an electronic shopping cart that allows the customer to select products from multiple different Web sites, and then perform a single "check out" from the merchant's site as shown in the Abstract of Bezos et al. These products selected by the customer through the Web site would not be available for selection or purchase via "check out" method if it had not been manufactured.

The applicant also argues that Bezos does not teach, disclose, or suggest the claimed invention, since, Claim 1 of the present invention recites "online session data including... manufactured product configurations". Bezos provides a web-based system for ordering books, and according to applicant, books are not manufactured products, and can not be configured. However, according to Merriam Webster's Collegiate Dictionary, the word manufactured is defined as "something made from raw materials by hand or by machinery", and a book fits into this definition since book factories do exist for constructing books using materials such as plastics, wood for paper, etc. In addition,

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Bezos et al discloses several configuration options where an associate is given commission credit for all additional products selected during a browsing session, or where the associate is only credited for the purchase of the product during a browsing session. In this case, the products are books, and the computer program for the web site where the book can be located can be configured to give credits for the purchase of products, which are in this case, books. In this case, each book has an ISBN, which represents the product id, and is used to locate and configure the computer program for locating the book through the web site.

Claims 3, 19, and 32 depend from claims 1, 14, and 29 respectively, and are therefore still rejected for the same reasons as discussed above with respect to claims 1, 14 and 29.

Claims 2, 6, 7, 9 and 10 depend from claim 1, claims 22, 23, 27 and 28 depend from claim 14, and claims 36, 37, 40 and 41 depend from claim 29, therefore, claims 2, 6, 7, 9 and 10, claims 22, 23, 27 and 28, and claims 36, 37, 40 and 41 are therefore still rejected for the same reasons as discussed above with respect to claims 1, 14 and 29.

Claims 11, 26 and 39 depend from claims 1, 14 and 29 respectively, and are therefore still rejected for the same reasons as discussed above with respect to claims 1, 14 and 29.

As per claims 12, 13, 21, 24, 25, 35 and 38, the applicant specifically argues that claim 13 recites "wherein the manufactured products are automobiles", and that the examiner is incorrectly relying on the Brown reference sine the cited passage of Brown summarizes an article entitled "Auctions Become High Tech" authored by Maynard

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Gordon. The applicant further argues that the proposed Bezos–Gordon combination does not teach the limitations of claim 13. The applicant specifically argues that since the present invention discloses “manufactured product configurations” for “automotive vehicles”, Gordon does not suggest this limitation since Gordon is directed at “auto actions” where the “operation sends an auction signal via fiber optic cable... to ...headquarters..., the signal is transmitted via satellite to ...dealers”, and “Mitsubishi dealers, sitting in their own offices, bid on vehicles with the touch of a button or a specially designed bidding stick”. The applicant argues that Gordon does not provide the claimed “online system for generating reports related to manufacturers consumer product online orders” based on “manufactured [vehicle] product configurations”. However, the rejection was not based on the combination of Bezos and Gordon, but was based on the rejection of Bezos and Brown, therefore, the argument directed towards the Bezos-Gordon combination is moot. As described in paragraphs above, Bezos discloses an Internet-based system where customers can select products from Web sites, and then perform a “check out” from the merchant’s site. Also, as described above, Bezos’ products are books, which are manufactured products. The Brown reference was introduced to simply show that manufactured products accessible on-line can be automobiles. Brown discloses a method of conducting an on-line auction. In the Brown reference, an example is used to show other uses for television, where the television can be used to sell automobiles, thereby, using an on-line system for selling automobiles.

Claims 21, 24 and 25 depend from claim 14, and claims 35 and 38 depend from claim 29, and are therefore rejected for the same reasons as disclosed with respect to claims 14 and 29.

Conclusion

9. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Akiba K Robinson-Boyce whose telephone number is 571-272-6734. The examiner can normally be reached on Monday-Tuesday 8:30am-5pm, and Wednesday, 8:30 am-12:30 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Hayes can be reached on 571-272-6708. The fax phone numbers for the organization where this application or proceeding is assigned are 703-746-7238

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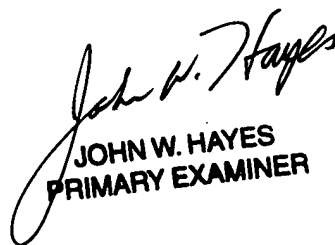
[After final communications, labeled "Box AF"], 703-746-7239 [Official Communications], and 703-746-7150 [Informal/Draft Communications, labeled "PROPOSED" or "DRAFT"].

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-305-3900.



A. R. B.

September 13, 2005



JOHN W. HAYES
PRIMARY EXAMINER